

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

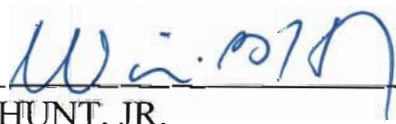
VICTOR A. GOMEZ,	:	MOTION TO VACATE
Movant,	:	28 U.S.C. § 2255
	:	
v.	:	CRIMINAL ACTION NO.
	:	1:08-CR-314-1-WBH
UNITED STATES OF AMERICA,	:	
Respondent.	:	CIVIL ACTION NO.
	:	1:09-CV-3653-WBH

**ORDER**

This matter is currently before the Court for consideration of the Report and Recommendation, [Doc. 132], in which the Magistrate Judge recommends that the Movant's 28 U.S.C. § 2255 motion to vacate, [Doc. 119], be denied. Because no objections to the Report and Recommendation have been filed, this Court need conduct only a plain error review of the record. United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983). After careful review, the Court finds no error in the Magistrate Judge's findings of fact or legal conclusions.

Accordingly, the Court **ADOPTS AS ITS ORDER** the Report and Recommendation, [Doc 132], and the instant motion to vacate, [Doc. 119], is hereby **DENIED**. Further, for the reasons discussed in the Report and Recommendation, a Certificate of Appealability is also **DENIED**.

**IT IS SO ORDERED**, this 2 day of September, 2011.

  
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WILLIS B. HUNT, JR.  
UNITED STATES DISTRICT JUDGE